IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 898 of 2003 (M/B)

1. M/s Colts Cement (P) Ltd.,
   Village Kamalwagaza,
   Narsinghtalla, Haldwani, Nainital,
   Through its Managing Director,
2. C.S. Chauhan, Managing Director,
   M/s Colts Cement (P) Ltd.,
   305 Thaper Chambers II,
   Opposite Kalindi Colony, Ring Road,
   New Delhi 110014. …….. Petitioners

Versus

1. Pradeshiya Industrial and Investment
   Corporation of U.P. Ltd.,
   PICUP Bhawan, Gomti Nagar,
   Lucknow – 226010.
2. Regional Manager,
   Pradeshiy Industrial and Investment
   Corporation of U.P. Ltd.,
   Lucknow. ……. Respondents

Mr. L.P.Naithani, Senior Advocate with Mr. Pradeep Lohni, Advocate for the petitioners.
Mr. Naresh Pant, Advocate for the respondents.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J,

RAJEEV GUPTA, C.J. (Oral)

Mr. L.P.Naithani, Senior Advocate with Mr. Pradeep Lohani, Advocate, for the petitioners.

Mr. Naresh Pant, Advocate for the respondents.

They are heard.

2. The petitioners have filed this writ petition for the following reliefs:

> "1. issue a writ, order or direction in the nature of Certiorari quashing the Demand notice dated 11.07.2003 issued by the Respondents to the Petitioners.
> 2. issue a writ, order or direction in the nature of Mandamus commanding the Respondents to issue a no dues certificate to the Petitioners.

3. Mould and grant any other order or direction as the Court may deem fit and proper in the circumstances of the case.
4. award the cost of the Petition to the Petitioner."

3. During the course of hearing, the learned counsel for the petitioners, submitted that most of the grievances projected by the petitioners in this writ petition have already been redressed by the respondents and the petitioners would be satisfied if the respondents are directed to consider the petitioners' representation for the surviving grievances with a reasonable time by passing a speaking order after providing an opportunity of hearing to the petitioners.

4. On due consideration, it is directed that on the petitioners' making a representation in regard to their surviving grievances to the Managing Director of the Pradeshiya Industrial and Investment Corporation of U.P. Ltd. (PICUP), the same shall be considered and decided by the Managing Director by passing a speaking order after providing an opportunity of hearing to the petitioners within a period of two months from the date of submission of the representation.

5. With the above direction, the writ petition stands disposed of.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**
16.05.2006 **16.05.2006**

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